

NEXUS BANKRUPTCY
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Attorney for Debtor

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
RIVERSIDE DIVISION

In re:

TAUREAN E WRIGHT,

Debtor.

Case No: 6:25-bk-11843-SY

Chapter 13

**REPLY IN SUPPORT OF OBJECTION TO
CLAIM OF JEAN BARANOWSKI (Claim
9)**

Hearing:

Date: July 15, 2025

Time: 1:30 PM

Courtroom: 302

As stated on the Notice of Objection to Claim (Form F 3007-1.1.NOTICE.OBJ.CLAIM):

"Deadline for Opposition Papers: You must file and serve a response to the
Objection to Claim not later than 14 days prior to the hearing date set forth above.

IF YOU FAIL TO TIMELY RESPOND IN ACCORDANCE WITH THIS
NOTICE, THE COURT MAY GRANT THE RELIEF REQUESTED IN THE
OBJECTION WITHOUT FURTHER NOTICE OR HEARING."

As further stated in the Objection to Claim:

"Any written opposition to the attached Objection must be filed with the Clerk of
the Bankruptcy Court and served on the undersigned no later than fourteen (14)
days prior to the hearing date noted above. If you fail to file a timely opposition,
the Court may treat such failure as a consent to the granting of the motion."

1 Accordingly, an opposition was due no later than July 1, 2025, but was not served until
2 nearly midnight on July 9, and, as of the time this reply is being drafted, still does not appear on
3 the Court's docket. Accordingly, the Debtor respectfully requests that the opposition be
4 disregarded as untimely.

5 However, should the Court be inclined to consider the late-filed opposition, the Debtor
6 requests that this reply, which is also technically outside the usual time frame due to the need to
7 respond on short notice, likewise be accepted. The reply was prepared under constrained
8 circumstances while the Debtor was traveling out of town with his children and will be hand-
9 delivered to the Court to ensure it is received as soon as possible.

10 11 LEGAL ARGUMENT

12 Ms. Baranowski's claim for unpaid rent relies entirely on the premise that she continued
13 to own the property after it was foreclosed. The multiple dismissed bankruptcy cases and failed
14 civil suits only reinforce this point. Ms. Baranowski cannot claim that she has been harmed by
15 not receiving rent for a property that she did not own.

16 The additional claims for property damage and equity are also based on the same
17 fundamental misunderstanding. One cannot recover damages for harm to a property or claim an
18 ownership its equity without owning it.

19 The assertion of priority under 11 U.S.C. § 507(a)(7) is not applicable here even if Ms.
20 Baranowski had valid claims on her other grounds. That section grants limited priority to
21 deposits **paid to a debtor** for goods or services that were not delivered. Here, the Debtor paid a
22 deposit to Ms. Baranowski - not the other way around. Therefore, she cannot assert this as a
23 priority claim. If anything, the Debtor may have a claim against Ms. Baranowski for wrongful,
24 bad faith, and retaliatory retention of the security deposit in violation of California Civil Code §
25 1950.5, which governs residential security deposits.

CONCLUSION

For the reasons stated above, the Debtor respectfully requests that the Court sustain the objection to Claim No. 9 in full. The claim lacks a valid legal or factual basis and is entirely premised on ownership rights that have already been extinguished.

Date: July 10, 2025

/s/Benjamin Heston

BENJAMIN HESTON

Attorney for Debtor

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

**3090 Bristol Street #400
Costa Mesa, CA 92626**

A true and correct copy of the foregoing document entitled (*specify*): **REPLY IN SUPPORT OF OBJECTION TO CLAIM OF JEAN BARANOWSKI (Claim 9)** will be served or was served (**a**) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (**b**) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):

Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) 7/10/2025, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

David Coats dacoats@raslg.com
Rod Danielson (TR) notice-efile@rodan13.com
Joseph C Delmotte ecfcacb@aldridgepite.com, JCD@ecf.inforuptcy.com;jdelmotte@aldridgepite.com
Sean C Ferry sferry@raslg.com, sean.ferry7@ecf.courtdrive.com
United States Trustee (RS) ustpreion16.rs.ecf@usdoj.gov

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) 7/10/2025 I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Jean Baranowski
78-365 Highway 111 Ste 123
La Quinta, CA 92253

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL

Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) 7/10/2025, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed (state method for each person or entity served):

Judge Scott H. Yun – Personal delivery to drop box

Jean Baranowski – Email to support@moneywiser.com (see attached proof of email address)

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

7/10/2025
Date

Benjamin Heston
Printed Name

/s/Benjamin Heston
Signature



Ben Heston <ben@nexusbk.com>


Case 6:25-bk-11843 REPLY FROM JEAN BARANOWSKI

1 message

support <support@moneywiser.com>
To: "ben@nexusbk.com" <ben@nexusbk.com>

Wed, Jul 9, 2025 at 11:53 PM

Case 6:25-bk-11843 REPLY FROM JEAN BARANOWSKI

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